

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

INVESTIGATIVE CONCEPTS, INC., a )  
Corporation, )  
  )  
  )  
Plaintiff, )  
  )  
  )  
v. ) Case No. CIV-18-311-SLP  
FIRST MERCURY INSURANCE )  
COMPANY, a Foreign Insurance Corporation, ) Oklahoma County  
and EL DORADO INSURANCE AGENCY, ) Case No. CJ-2018-1177  
INC., a Foreign Corporation )  
  )  
  )  
Defendants. )

**JOINT NOTICE OF REMOVAL**

COME NOW Defendant El Dorado Insurance Agency, Inc., a Foreign Corporation, and First Mercury Insurance Company, a Foreign Insurance Corporation, by and through their undersigned counsel and pursuant to 28 U.S.C. §§ 1332, 1441(a), and 1446, and LCvR 81.1 and 81.2, file this Notice of Removal of the above-captioned case on the basis of diversity jurisdiction and state:

1. On March 1, 2018, Plaintiff filed this action in the District Court of Oklahoma County, State of Oklahoma, Case No. CJ-2018-1177.
2. Defendant El Dorado Insurance Agency, Inc. was served with process on March 8, 2018. *See Exhibit 7, Return of Service of El Dorado Insurance Agency, Inc. filed March 14, 2018.*

3. Defendant First Mercury Insurance Company was served with process on March 8, 2018. *See Exhibit 6, Return of Service of First Mercury Insurance Company filed March 14, 2018.*

4. This Notice of Removal is timely under 28 U.S.C. § 1446(b) in that it has been filed within thirty days after Defendants El Dorado Insurance Agency, Inc. and First Mercury Insurance Company received the initial pleading setting forth Plaintiff's claims and relief requested.

5. This Court has diversity jurisdiction pursuant to 28 U.S.C. §1332 because there is complete diversity of citizenship and the amount in controversy exceeds \$75,000.

6. At all relevant times, Plaintiff Investigative Concepts, Inc. was and is a corporation incorporated in Oklahoma with its principal place of business in Oklahoma. Plaintiff is thus a citizen of the State of Oklahoma.

7. At all relevant times, Defendant First Mercury Insurance Company was and is a corporation incorporated in Delaware with its principal place of business in Michigan. First Mercury Insurance Company is thus a citizen of Delaware and Michigan.

8. At all relevant times, Defendant El Dorado Insurance Agency, Inc. was and is a corporation incorporated in Texas with its principal place of business in Texas. El Dorado Insurance Agency, Inc. is thus a citizen of Texas.

9. Plaintiff's Petition alleges its damages are "in excess of the amount required for diversity jurisdiction pursuant to §1332 of Title 28 of the United States Code." Plaintiff's Petition, Paragraph entitled "WHEREFORE" following Paragraphs 20 and 29.

10. Because there is complete diversity of citizenship among the named parties, and because the amount in controversy as stated on the face of the Plaintiff's Petition exceeds the amount required for diversity jurisdiction, removal is proper under 28 U.S.C. § 1332(a) and 28 U.S.C. § 1441(a).

11. In accordance with 28 U.S.C. § 1446(a), all pleadings, process, orders, or other filings in the state court action in the possession of Defendants El Dorado Insurance Agency, Inc. and First Mercury Insurance Company are attached to this notice (*See Exhibit 1 through Exhibit 8*).

12. In accordance with LCvR 81.2, a copy of the state court docket sheet is attached.

13. In accordance with 28 U.S.C. § 1446(d), Defendants have served this Notice of Removal on Plaintiff and will promptly file the same with the state court clerk.

14. Oklahoma County, Oklahoma lies within the geographical boundaries of this Court.

**JURY TRIAL DEMANDED**

Pursuant to Federal Rule of Civil Procedure 38, El Dorado Insurance Agency, Inc. and First Mercury Insurance Company demand a trial by jury on all issues appropriate for the jury to consider.

**CONCLUSION**

WHEREFORE, Defendant El Dorado Insurance Agency, Inc. respectfully remove this action from the District Court of Oklahoma County, Oklahoma, to the United States District Court for the Western District of Oklahoma.

Respectfully submitted,

**HOLDEN & MONTEJANO**

/s/ Shawna L. Landeros

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and

s/Gerald P. Green

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*Attorneys for First Mercury Insurance Company*

**CERTIFICATE OF MAILING**

I certify that on the 6<sup>th</sup> day of April, 2018, a true and correct copy of the above and foregoing instrument was mailed, with proper postage fully prepaid thereon, to:

Steven S. Mansell, OBA #10584  
Mark A. Engel, OBA #10796  
Kenneth G. Cole, OBA #11792  
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/s/ Shawna L. Landeros

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